

**MINUTES OF THE MEETING
OF THE
BOARD OF NURSING
July 14, 2005**

Call to Order

Marcy Echternacht, President, called the meeting of the Nebraska Board of Nursing to order at 8:15 a.m., May 12, 2005, at the Staybridge Conference Center, 2701 Fletcher, Lincoln, Nebraska. Copies of the agenda were sent to Board members, news media and other interested persons, and posted.

Roll Call

The following members were present:

Marcy Echternacht, RN, President
Mary Megel, RN, Vice-President
Jacqueline Ross, RN, Secretary
Judy Balka, LPN
Joyce Bunger, public member
Valerie Fredericksen, RN
Nancy Gondringer, RN (arrived at 9:17 a.m.)
Sandra Mann, public member
Iris Winkelhake, RN
Deanna Lloyd, LPN

The following member was absent:

Mary Bunger, RN

A quorum of the Board was present and the meeting convened. Also present from the Credentialing Division was Charlene Kelly, RN, Executive Director; Sheila Exstrom, RN, Nursing Education Consultant; and Ruth Schuldt, RN, Compliance Monitor. Present from the Investigations Division was Marletta Stark, RN, Peggy Persell, RN and Michael Grutsch. Present from the Attorney General's office was Terri Nutzman, Assistant Attorney General.

Judy Balka's last meeting

Echternacht expressed the board's appreciation to Balka for her years of service to the board. Balka is relocating to Nevada. This is her last meeting with the board.

Review of Agenda

The board reviewed the agenda.

1. J. Bunger made the motion seconded by Mann **that the board adopt the agenda as printed and distributed**

Voting Aye: Balka, , Echternacht, Fredericksen, Mann, Megel, Ross, J. Bunger, Lloyd and Winkelhake. Voting Nay: none. Abstain: none. Absent: Gondringer and M. Bunger. Motion carried.

Review of the Consent Agenda

The board reviewed the consent agenda. No items were deleted.

2. Winkelhake made the motion seconded by Fredericksen **that the board adopt the consent agenda and approve the following:**

- D.1. June 9, 2005 Board of Nursing meeting minutes**
- D.2. June 9, 2005 Education Committee meeting minutes**
- D.3. June 9, 2005 Practice Committee meeting minutes**
- F. First and Second Quarter Goals and Objectives accomplishments to date**
- 4.4 Disciplinary actions/dismissals since last meeting**
- 4.5 Probation monitoring update**

Voting Aye: Balka, , Echternacht, Fredericksen, Mann, Megel, Ross, J. Bunger, Lloyd and Winkelhake. Voting Nay: none. Abstain: none. Absent: Gondringer and M. Bunger. Motion carried.

8:23 a.m.

4. Balka made the motion seconded by Mann **that the board go into closed session for the purpose of reviewing investigation reports.**

Voting Aye: Balka, , Echternacht, Fredericksen, Mann, Megel, Ross, J. Bunger, Lloyd and Winkelhake. Voting Nay: none. Abstain: none. Absent: Gondringer and M. Bunger. Motion carried.

9:17 a.m. Gondringer arrived

9:30 a.m. Meeting recessed

9:45 a.m. Meeting reconvened

10:00 a.m. Frederickson left the meeting

10:10 a.m. Frederickson returned to the meeting

11:30 a.m. The board came out of closed session. Stark, Schuldt, Persell and Grutsch left the meeting. One guest was present.

12:10 p.m. The board recessed briefly and then reconvened over lunch.

Based on discussion in closed session the following motions were made:

Laurie Hinman

4. Megel made the motion seconded by Winkelhake **that the board recommend reinstatement of Laurie Hinman's LPN license on probation for one year with the following conditions: verification from new treating practitioner of all prescription medications; compliance with treatment recommendations; advise Department of professional counseling and submit reports, maintain active practice (130 hrs/quarter); within two months, establish new care relationship with a psychiatrist; and meet the usual terms and conditions of probation. The rationale for the probationary terms is a criminal conviction during the period of time that the license was on lapsed status.**

Voting Aye: Balka, , Echternacht, Frederickson, Mann, Megel, Ross, J. Bunger, Lloyd and Winkelhake. Voting Nay: none. Abstain: Gondringer. Absent: M. Bunger. Motion carried.

Krista Bandars

5. Lloyd made the motion seconded by Gondringer **that the board recommend that Krista Bandars be issued a probationary RN license pending successful completion of NCLEX-RN®. The probation will be in effect for two years. During the probation in addition to the usual terms and conditions of probation, she will be required to participate in at least one NA, AA, or other support group meeting per week and maintain active nursing practice (130 hrs/week)**

Voting Aye: Balka, , Echternacht, Frederickson, Mann, Megel, Ross, J. Bunger, Lloyd, Gondringer and Winkelhake. Voting Nay: none. Abstain: none. Absent: M. Bunger. Motion carried.

Geralyn Schaffer

6. Winkelhake made the motion seconded by J. Bunger **that the board deny reinstatement of Geralynn Schafer's RN license due to disciplinary action in another state.**

Voting Aye: Balka, , Echternacht, Fredericksen, Mann, Megel, Ross, J. Bunger, Lloyd, Gondringer and Winkelhake. Voting Nay: none. Abstain: none. Absent: M. Bunger. Motion carried.

Sister F. Maduabuchi

7. Fredericksen made the motion seconded by Megel **that the board deny Sister F. Maduabuchi's application for initial licensure by endorsement. Rationale for denial is that she does not meet the continuing competency requirements for licensure by endorsement.**

Voting Aye: Balka, , Echternacht, Fredericksen, Mann, Megel, Ross, J. Bunger, Lloyd, Gondringer and Winkelhake. Voting Nay: none. Abstain: none. Absent: M. Bunger. Motion carried.

Mary Wuest

8. Balka made the motion seconded by Mann **that the board deny Mary Wuest's application for LPN licensure by endorsement. Rationale for denial is disciplinary action in another state.**

Voting Aye: Balka, , Echternacht, Fredericksen, Mann, Megel, Ross, J. Bunger, Lloyd, Gondringer and Winkelhake. Voting Nay: none. Abstain: none. Absent: M. Bunger. Motion carried.

Discussion if Idaho Position Statement on Safety to Practicee

The board reviewed an April 29, 2005 position statement developed by the Idaho Board of Nursing entitled *Idaho Board of Nursing Position on Safety to Practice*. The statement addresses the nurse's functional ability: the competence and reliability with which a nurse is able to practice at any given time. Following discussion the board referred this issue to the Practice Committee for review and recommendation.

Recommendations regarding criteria for appointment to the board

The board reviewed the draft response letter to the Board of Health addressing issues related to the statutory composition of the Board of Nursing. The board made several editorial changes to the letter. They also recommended that a fourth recommendation be added to support the addition of a third public member on the board. Kelly will make these revisions and send the letter to the Board of Health.

Communication/participation with nursing organizations/groups

LGNN

Winkelhake reported on recent activities of LGNN. They are revising their bylaws. She was unable to attend the last meeting.

Nebraska Nursing Leadership Coalition

Exstrom reported on the activities of the Nebraska Nursing Leadership Coalition. The 2006 Summit will be held in Kearney on March 28. The Nursing Leadership Coalition will also sponsor a Nursing Issues Forum. The Forum will be held the morning of November 9, 2005 at the Georgetown Club in Omaha. The topic for the Forum will be the Clinical Nurse Leader. Participation will be by invitation. The regular fall meeting of the Coalition will be held the afternoon of November 9 in the same location.

Report on recent publications, consultation and speaking

Staff and board members reported on recent meetings attended and speaking engagements. Exstrom announced she will be chairing the Examination Committee for National Council for the upcoming year. Kelly will chair the Resolutions Committee. Echternacht and Bowen are continuing as committee members on their respective committees. It was suggested that a press release be developed on Nebraska's participation and leadership roles at the national level.

Nursing News

The Summer issue of *Nursing News* is at the publisher. Kelly thanked the editorial committee for their help in reviewing articles for this issue.

National Council of State Boards of Nursing Board of Directors Conference Call on Delegate Assembly Recommendations

The board participated in the conference call with the board of directors of National Council. President Dorsey reviewed the recommendations that will be coming forward at the Delegate Assembly in August.

Report of the Practice Committee

Balka reported on behalf of the practice committee. The committee presented three practice advisory opinions for adoption.

Gastrostomy, Jejunostomy, and Suprapubic Tube Replacement

9. The Practice Committee made the motion **that the board adopt the revised Advisory Opinion: Gastrostomy, Jejunostomy, and Suprapubic Tube Replacement**

Voting Aye: Balka, , Echternacht, Fredericksen, Mann, Megel, Ross, J. Bunger, Lloyd, Gondringer and Winkelhake. Voting Nay: none. Abstain: none. Absent: M. Bunger. Motion carried.

Use of Topical Skin Adhesive such as Dermabond® and Other Similar Products By Registered Nurses

10. The Practice Committee made the motion **that the board adopt the Advisory Opinion: Use of Topical Skin Adhesive such as Dermabond® and Other Similar Products.**

Voting Aye: Balka, , Echternacht, Fredericksen, Mann, Megel, Ross, J. Bunger, Lloyd, Gondringer and Winkelhake. Voting Nay: none. Abstain: none. Absent: M. Bunger. Motion carried.

Use of Ultrasound for Placement of PICC Lines by Registered Nurses

11. The Practice Committee made the motion **that the board adopt the Advisory Opinion: Use of Ultrasound for Placement of PICC Lines by Registered Nurses.**

Voting Aye: Balka, , Echternacht, Fredericksen, Mann, Megel, Ross, J. Bunger, Lloyd, Gondringer and Winkelhake. Voting Nay: none. Abstain: none. Absent: M. Bunger. Motion carried.

Update on the Nebraska Center for Nursing

Kelly reported on current board membership. Several new board members were recently appointed to fill vacancies created by expired terms of board members not eligible for reappointment. The next meeting of the CFN will be August 18. Primary topics for the meeting will be redevelopment of the strategic plan and the report by Dr. David Rosenbaum on the application of the models developed by the National Center for Health Workforce Analysis to Nebraska's nursing and population demographics. The analysis of the 2004 RN Workforce Survey have been received. The average age of RNs in Nebraska decreased from 44.6 years in 2002 to 43.8 in 2004. The percentage of men and minorities licensed as RNs has remained essentially unchanged. A new question on this year's survey related to nurses ability to fluently speak another language. Nearly 10% reported being fluent in another language. The most frequent language reported was Spanish.

Authorization of Fund Transfer

LB 243 authorized payment of the Center for Nursing operating costs from nursing licensure fees. The Board of Nursing is to determine the amount to be transferred to the Center for Nursing fund. The percentage cannot exceed 15% of revenues collected by the Board of Nursing for a given year. After discussion the following motion was made:

12. Gondringer made the motion seconded by Fredericksen **that the board authorize the transfer of \$80,000 to the Center for Nursing for FY 2006 to cover operating costs of the Center for Nursing.**

Voting Aye: Balka, , Echternacht, Fredericksen, Mann, Megel, Ross, J. Bunger, Lloyd, Gondringer and Winkelhake. Voting Nay: none. Abstain: none. Absent: M. Bunger. Motion carried.

Kelly will develop a budget for the Center for Nursing and present it to the Board for their review.

Report of the Education Committee

The Education Committee has received requests for review and approval of several curricular changes from nursing education programs. These requests were reviewed in detail at the last meeting of the Education Committee. Based on that review the Education Committee made the following recommendations:

Western Nebraska Community College

- 13. The Education Committee made the motion that the Board approve the RN1 application as submitted by Western Nebraska Community College.**

Voting Aye: Balka, , Echternacht, Fredericksen, Mann, Megel, Ross, J. Bunger, Lloyd, Gondringer and Winkelhake. Voting Nay: none. Abstain: none. Absent: M. Bunger. Motion carried.

Review and Approval of Annual Reports

- 14. The Education Committee made the motion that the Nebraska Board of Nursing accept the 2004 annual reports for the following nursing programs and grants continuing approval of them: Central Community College, PN program, Clarkson College, PN program, College of Saint Mary, PN program, Hamilton College, Lincoln, PN program, Hamilton College, Omaha, PN program, Metropolitan Community College, PN program, Mid-Plains Community College, PN program, Northeast Community College, PN program, Southeast Community College, PN program, Western Nebraska Community College, PN program, Central Community College, ADN program, College of Saint Mary, ADN program, Metropolitan Community College, ADN program, Mid-Plains Community College, ADN program, Northeast Community College, ADN program, Southeast Community College, ADN program, Bryan/LGH College of Health Sciences, Diploma program, Bryan/LGH College of Health Sciences, BSN program, Clarkson College, BSN program, Creighton University, BSN program, Midland Lutheran College, BSN program, Nebraska Methodist College, BSN program, Union College BSN program, and University of Nebraska Medical Center, BSN program.**

Voting Aye: Balka, , Echternacht, Fredericksen, Mann, Megel, Ross, J. Bunger, Lloyd, Gondringer and Winkelhake. Voting Nay: none. Abstain: none. Absent: M. Bunger. Motion carried.

2005 Site Visits

15. The Education Committee made the motion **that the Nebraska Board of Nursing conduct site visits this next year to the following programs: Clarkson College, BSN program, Hamilton College, Omaha, PN program, Metropolitan Community College PN program, Midland Lutheran College, BSN program, Mid-Plains Community College, PN program, Northeast Community College, PN program, and Western Nebraska Community College PN program.**

Voting Aye: Balka, , Echternacht, Fredericksen, Mann, Megel, Ross, J. Bunger, Lloyd, Gondringer and Winkelhake. Voting Nay: none. Abstain: none. Absent: M. Bunger. Motion carried.

16. Megel made the motion seconded by Gondringer **that the list of programs for site visits be amended to include the College of St. Mary.**

Voting Aye: Balka, , Echternacht, Fredericksen, Mann, Megel, Ross, J. Bunger, Lloyd, Gondringer and Winkelhake. Voting Nay: none. Abstain: none. Absent: M. Bunger. Motion carried.

2004 Enrollment Report

The board reviewed the 2004 nursing program enrollment and graduation report. The Education Committee will be exploring why graduation numbers do not increase in proportion to increases in enrollment. This is not a new phenomena. It has occurred with previous shortages also.

Financial Report

The board reviewed the budget status report from 5/31/2005. They also reviewed Program 178 costs July 1, 2004 through May 31, 2005. It was noted that base costs are running higher than projected. Indirect costs have increased to 37.5%


Regulations Update

Exstrom informed the board that word has been received that Governor Heineman will not sign the revised Regulations Governing Nursing Education Programs (172 NAC 97) unless the requirement for MSN educational preparation for clinical faculty of LPN programs is removed. The only testimony received at public hearing was four comments related to this issue from persons associated with the Western Nebraska Community College LPN Program. Discussion followed. It was noted that all the other programs have been meeting this criteria. WNCC has just applied to offer an Associate Degree program. Faculty will be required to be prepared at the MSN level for this new program. Board members directed staff to pursue resolution of this issue with the governor's office. The board is opposed to eliminating this criteria from the regulations as requested by the Governor's Policy Research Office.

Adjournment

The meeting adjourned at 2:30 p.m.

Respectfully submitted,

A handwritten signature in cursive script that reads "Jacqueline Ross". The signature is written in dark ink and is positioned above the printed name.

Jacqueline Ross, Secretary